



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 403-99

7 January 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 4 January 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you reenlisted in the Navy on 3 October 1990 and continued to serve in an excellent manner. On 1 June 1992 you were honorably discharged by reason of hardship and were assigned an RE-3H reenlistment code.

You state in your application that you were granted a hardship discharge due to the illness of your mother who has since died. You desire a change in the reenlistment code because you desire to reenlist.

Regulations require the assignment of an RE-3H or an RE-4 reenlistment code when an individual is discharged due to a hardship. An RE-3H reenlistment code may be waived and enlistment authorized if the individual can show that the hardship no longer exists. Since you have the best reenlistment code assigned to individuals discharged from the Navy because of a hardship, the Board could not find an error or injustice in the assignment of the RE-3H reenlistment code.

Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director